

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL

oag.dc.gov



FOR IMMEDIATE RELEASE: Friday, February 12, 2016



Contact: Rob Marus, Communications Director: (202) 724-5646; robert.marus@dc.gov
Andrew Phifer, Public Affairs Specialist: (202) 741-7652; andrew.phifer@dc.gov

Office of the Attorney General Intervenes in Case Regarding Validity of District's Elections Board

OAG Intervening to Protect Public Interest of District Residents and Integrity of Elections

WASHINGTON, D.C. – A D.C. Superior Court judge has granted a motion to intervene by the Office of the Attorney General (OAG) in a lawsuit filed against the District's Board of Elections. OAG has also filed a motion asking the court to reconsider an earlier ruling against the Board of Elections in the suit, which alleges that the Board's action to authorize a minimum-wage initiative on the District's November 2016 ballot was invalid because the terms of some board members had expired when the Initiative's language was approved.

"The residents of our city have a clear interest in ensuring not only that they are allowed to vote on this ballot measure, but also that other actions of the Board of Elections are not called into question," Attorney General Racine said.

OAG's motion for reconsideration argues that the court did not consider important evidence regarding the legislative history of the laws in question. It also contends that, under the District's Charter, the board was properly constituted when it approved the ballot initiative. Further, OAG's motion argues that, even if the court believes the board was improperly constituted, their actions with respect to the ballot initiative nevertheless remain valid because of the legal doctrine known as the *de facto* officer doctrine.

Copies of OAG's motion for reconsideration and motion to intervene in the case are attached.

###